

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
FURUKAWA ELECTRIC COMPANY	)	
OF NORTH AMERICA; OFS FITEL LLC,	)	
	)	
Plaintiffs,	)	Civil Action No.:
	)	05-cv-11665-RGS
v.	)	
	)	
ANTARES DEVELOPMENT	)	
INTERNATIONAL LLC,	)	
	)	
Defendant.	)	
_____	)	

**DEFENDANT'S MOTION TO STAY PROCEEDINGS**  
**OR, IN THE ALTERNATIVE, TO EXTEND TIME TO ANSWER COMPLAINT**

Defendant Antares Development International, LLC ("Antares") respectfully submits this motion to stay the proceedings or, in the alternative, to extend the time to answer the complaint. Antares requests that the Court stay these proceedings pending resolution of a separately filed and pending matter that may conclusively decide many of the issues in this action. Alternatively, Antares moves to extend the time to answer the complaint in this action until an answer or response, if any, is due in the related action captioned Furukawa Electric Company of North America, et al. v. Yangtze Optical Fibre and Cable Company Ltd., Civil Action No. 05-11219-RGS (the "Related Furukawa Action").<sup>1</sup> As related (and, in fact, identical) actions, the Related Furukawa Action and this action should have coinciding deadlines.

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<sup>1</sup> Pursuant to LR 40.1(G), the Plaintiffs, Furukawa Electric Co. of North America ("Furukawa") and OFS Fitel LLC ("OFS," and together with Furukawa, the "Plaintiffs"), identified this action as a "Related Civil Case."

WHEREFORE, Antares respectfully requests that this Court issue an Order:

1. Staying this action pending the conclusion of Fitel USA Corp. v. Fibercore, Inc., Civ. A. No. 02-02149-CAP (N.D. Ga. filed Aug. 2, 2002) or, in the alternative, extending the time to answer the complaint in this action until an answer is due in the Related Furukawa Action; and
2. Granting such other relief as this Court deems just and proper.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(D) of the Local Rules for the U.S. District Court for the District of Massachusetts, Antares respectfully requests oral argument on this Motion.

Respectfully submitted,

ANTARES DEVELOPMENT  
INTERNATIONAL, LLC,

By its attorneys,

Dated: September 1, 2005

/s/ Samuel A. Miller  
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**LOCAL RULE 7.1(A)(2) CERTIFICATE**

Undersigned counsel for Antares certifies that counsel for Antares has conferred with counsel for Plaintiffs in a good-faith attempt to resolve or narrow the issues presented herein. Plaintiffs' counsel did not consent to the relief sought by this motion.

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/s/ Samuel A. Miller  
Samual A. Miller